

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

DEC 23 1998

UNITED STATES OF AMERICA

v.

Case Number 98-CR-088-001-R
Phil Lombardi, C. DIST.

BENJAMIN RAY PHIPPS
 Defendant.

ENTERED ON DOCKET

DATE 12-23-98

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, BENJAMIN RAY PHIPPS, was represented by Jack Schisler.

On motion of the United States the court has dismissed Count 1 of the Indictment.

The defendant was found guilty on Counts 2 & 3 of the Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1151, 1152 & 113(a)(7)	Assault Resulting in Substantial Bodily Injury to a Minor	11/19/97	2
18 USC 1623(a)	Perjury	3/3/98	3

As pronounced on December 18, 1998, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 200, for Counts 2 & 3 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 21 day of December, 1998.


 The Honorable Terry C. Kern, Chief
 United States District Judge

Defendant's SSN: 440-82-5123

Defendant's Date of Birth: 1/12/73

Defendant's residence and mailing address: 200 N.E. Blackie Road, Claremore OK 74017

Defendant: BENJAMIN RAY PHIPPS

Case Number: 98-CR-088-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 6 months.

The Court makes the following recommendations to the Bureau of Prisons: that the defendant be designated to the Turley Correctional Center for the place of confinement.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 noon on January 18, 1999.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: BENJAMIN RAY PHIPPS
Case Number: 98-CR-088-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of six (6) months, to commence within 72 hours of release from imprisonment. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
4. The defendant shall successfully participate in a program of domestic violence counseling to address anger management, as directed by the Probation Office, until such time as released from the program by the Probation Office.
5. The defendant shall have no contact with the children of Cheryl Wolfe unless approved by the Probation Office, and upon completion of Domestic Violence counseling.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: BENJAMIN RAY PHIPPS
Case Number: 98-CR-088-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	12
Criminal History Category:	I
Imprisonment Range:	10 months to 16 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 3,000 to \$ 30,000
Restitution:	\$ n/a

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the Court finds no reason to depart from the sentence called for by application of the guidelines.

LMK

CW

UNITED STATES DISTRICT COURT **FILE**
Northern District of Oklahoma

DEC 23 1998

UNITED STATES OF AMERICA

Phil Lombardi,
S. DIST.

v.

Case Number 97-CR-179-001-K

TROY CLARK BURKINSHAW
Defendant.

ENTERED ON DOCKET
12-23-98

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, TROY CLARK BURKINSHAW, was represented by Robert Durbin.

On motion of the United States the court has dismissed all counts of the Superseding Information and of the Indictment.

The defendant pleaded guilty to Count 1 of the Information, September 16, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1344(1)	Bank Fraud	10/24/97	1

As pronounced on December 16, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 21 day of December, 1998.


The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 528-17-7535

Defendant's Date of Birth: 10/12/60

Defendant's residence and mailing address: c/o US Marshals Service, 333 W. 4th Street, 4th Floor, Tulsa OK 74103

28

Defendant: TROY CLARK BURKINSHAW
Case Number: 97-CR-179-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 19 months.

The Court makes the following recommendations to the Bureau of Prisons: that the defendant be placed in the Bureau of Prisons' Comprehensive Drug Treatment Program, or in the alternative, in a facility that will provide the next most thorough drug treatment program. In addition, the Court recommends that the Bureau of Prisons designate the place of incarceration in a facility as close as possible to Salt Lake City, Utah. The purpose of the recommended placement is two fold. First, it will place the defendant near his family. Second, it will permit him to be near Utah so that he may be able to dispose of the pending state charge in Salt Lake City, Utah, while he is in federal custody.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: TROY CLARK BURKINSHAW
Case Number: 97-CR-179-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: TROY CLARK BURKINSHAW

Case Number: 97-CR-179-001-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$8,584.49. Interest on restitution is waived by the Court.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Nations Bank 5950 E. Admiral Tulsa OK 74115 Attn: Leslie Edison	\$5,248.00
State Bank 502 S. Main Mall Tulsa OK 74103 Attn: Charles Pilkington, Assistant Vice-President/Loss Specialist	\$3,336.49

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payees.

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: TROY CLARK BURKINSHAW

Case Number: 97-CR-179-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	12
Criminal History Category:	III
Imprisonment Range:	15 months to 21 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 3,000 to \$ 1,000,000
Restitution:	\$ 8,854.49

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

FILED

v.

DEC 23 1998

Case Number 98-CR-114-001-K

SIXTO DeLEON-MENDIOLO
Defendant.

Phil Lombardi, Clerk
U.S. DISTRICT COURT

ENTERED ON DEC 23 1998

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

The defendant, SIXTO DeLEON-MENDIOLO, was represented by R.W. "Bud" Byars.

The defendant pleaded guilty to Count 1 of the Indictment, September 15, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
8 USC 1326(a)	Re-entry of a Deported Alien	7/2/98	1

As pronounced on December 16, 1998, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 21 day of December, 1998.



The Honorable Perry C. Kern, Chief
United States District Judge

Defendant's SSN: 445-48-1852

Defendant's Date of Birth: 3/28/36

Defendant's residence and mailing address: c/o Tulsa County Jail, 500 S. Denver, Tulsa OK 74103

Defendant: SIXTO DeLEON-MENDIOLO
Case Number: 98-CR-114-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 27 months.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: SIXTO DeLEON-MENDIOLO
Case Number: 98-CR-114-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: SIXTO DeLEON-MENDIOLO
Case Number: 98-CR-114-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	21
Criminal History Category:	III
Imprisonment Range:	46 months to 57 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 7,500 to \$ 75,000
Restitution:	\$ n/a

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reasons: the offense level over represents the seriousness of the crime, and the defendant has significant ties to the community. The defendant is elderly and has health problems, and the defendant's wife's health problems will compromise her ability to care for their children.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

DEC 21 1998

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 98-CR-071-001-H

LINDA CAROL PRIEST
Defendant.

ENTERED ON DOCKET

DATE 12-22-98

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, LINDA CAROL PRIEST, was represented by Thomas Seymour.

On motion of the United States the court has dismissed Counts 1-4, 6-106, 108 & 109 of the Superseding Indictment.

The defendant pleaded guilty to Counts 5 & 107 of the Superseding Indictment, September 15, 1998. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

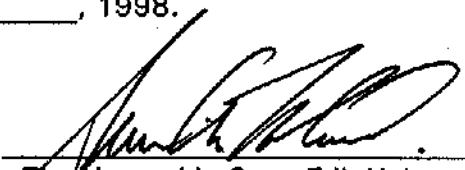
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1344(1)	Bank Fraud	3/3/97	5
18 USC 1029(a)(2)	Unauthorized Use of an Access Device	2/17/97	107

As pronounced on December 11, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 200, for Counts 5 & 107 of the Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 21st day of December, 1998.


 The Honorable Sven Erik Holmes
 United States District Judge

Defendant's SSN: 230-80-0686

Defendant's Date of Birth: 8/10/61

Defendant's residence and mailing address: 545 Mt. Columbia Road, Manquin, Virginia 23106

Defendant: LINDA CAROL PRIEST
Case Number: 98-CR-071-001-H

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 20 months as to each of counts 5 & 107, said terms to run concurrently, each with the other, for a total of 20 months.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before noon on January 18, 1999.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: LINDA CAROL PRIEST
Case Number: 98-CR-071-001-H

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years as to Count 5 and three (3) years as to Count 107, said terms to run concurrently, each with the other, for a total of five (5) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: LINDA CAROL PRIEST
Case Number: 98-CR-071-001-H

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$153,895.91.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Christiansen Aviation, Incorporated ATTN: Bill Christiansen 5106 East 86th Place Tulsa OK 74137	\$153,895.91

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee.

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:

Equity in real estate located at 3745 South 26th West Avenue, Tulsa, Oklahoma.

Defendant: LINDA CAROL PRIEST
Case Number: 98-CR-071-001-H

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	14	
Criminal History Category:	I	
Imprisonment Range:	15 months to 21 months	Cts. 5 & 107
Supervised Release Range:	3 to 5 years	Ct. 5
Fine Range:	2 to 3 years	Ct. 107
	\$ 4,000 to \$ 1,000,000	Cts. 5 & 107
Restitution:	\$ 153,895.91	

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

RJS

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

EOD: 12-21-98

v.

Case Number 98-CR-138-001-K ✓

FOSTER JOHNSON O'QUINN
Defendant.

FILED

DEC 21 1998

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Phil Lombardi, Clerk
U.S. DISTRICT COURT

The defendant, FOSTER JOHNSON O'QUINN, was represented by Jim Fransein.

The defendant was found guilty on November 17, 1998 on Count 1 of the Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:


Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1512(b)(1)	Witness Tampering	8/21/98	1

As pronounced on December 10, 1998, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 18 day of December, 1998.


The Honorable Jerry C. Kern, Chief
United States District Judge

Defendant's SSN: 552-19-5784

Defendant's Date of Birth: 3/18/68

Defendant's residence and mailing address: 300 Prospect Road, Diamond Bar, California 91765

Defendant: FOSTER JOHNSON O'QUINN
Case Number: 98-CR-138-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 51 months, said term shall run concurrently with the sentence imposed in Northern District of Oklahoma Case Number 98-CR-087-003-K.

The Court makes the following recommendations to the Bureau of Prisons: that the defendant serve his term of imprisonment within the County of Los Angeles, California, or as near to Los Angeles, California as possible.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: FOSTER JOHNSON O'QUINN
Case Number: 98-CR-138-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years, said term shall run concurrently with the term of supervision imposed in Northern District of Oklahoma Case Number 98-CR-087-003-K.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: FOSTER JOHNSON O'QUINN
Case Number: 98-CR-138-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	20
Criminal History Category:	V
Imprisonment Range:	63 months to 78 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 7,500 to \$ 75,000
Restitution:	\$ n/a

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reasons: Pursuant to USSG §4A1.3, the Court concludes that the defendant's criminal history category significantly over-represents the seriousness of the defendant's criminal history as the likelihood that he will commit further crimes. Therefore, the Court departs downward one criminal history category resulting in a criminal history category of IV. Specifically, the Court finds that the criminal history point resulting from the 24 months probation term in Fullerton, California, Municipal Court Case Number NM 9005724 is over represented.

BJS

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 17 1998

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

KEIR DULLEA SPROUTS,)
LEONARD HAROLD BUNCH,)
KEITH ANTON SPROUTS,)
PHILLIP OMAR JACKSON,)
STEVEN CARTER DOTTS,)

Defendant.)

Case No. 92-CR-54-E ✓

97-CV-988-E, 97-CV-962-E, 97-CV-908-E,
97-CV-958-E, 97-CV-933-E

ORDER

Now before the Court are the Consolidated Motions for Reconsideration of the Court's Orders Entered January 13, 1998 (Docket #244) of the Defendants Keir Dullea Sprouts, Leonard Harold Bunch¹, Keith Anton Sprouts, Phillip Omar Jackson, and Steven Carter Dotts, the Amended Consolidated Motion for Reconsideration of the Court's Order Dated January 13, 1998 (Docket #245) of the Defendants Keir Dullea Sprouts, Leonard Harold Bunch, Keith Anton Sprouts, Phillip Omar Jackson, and Steven Carter Dotts, and the Motion to Amend and Incorporate Cases (Docket

¹ These Motions request the Court to reconsider its ruling denying a Motion to Equitably Toll One Year Deadline for Filing Habeas Petition Under the Antiterrorism and Effective Death Penalty Act (AEDPA) filed by each of the defendants except Bunch. Bunch filed his Motion to Toll Time (Docket # 243) after the Court's Ruling's on January 13, 1998. Nonetheless, he was included in the motion to reconsider, and the reasoning of the Court's Orders of January 13, 1998 on the Motion to Equitably Toll applies equally to Bunch's Motion. Therefore the Court finds that Bunch's Motion to Toll Time and For a Transfer Order to The Court of Appeals for the Tenth Circuit for Permission to File Second 28 U.S.C. §2255 Petition Under the AEDPA (Docket #243) should be denied. In particular, the Court notes that the request for transfer is moot in light of the untimeliness of the petition.

#248) of the Defendants Keir Dullea Sprouts, Leonard Harold Bunch, Keith Anton Sprouts, Phillip Omar Jackson, and Steven Carter Dotts.

Each of these Defendants is asking the Court to reconsider its ruling on their motion to toll the time for filing a §2255 motion under the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA). The Court has previously held, with respect to each Defendant, that their 28 U.S.C. §2255 Motion to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody is untimely, and that there are no reasonable grounds on which to toll the one year limitations period for the filing of a §2255 motion. Now, each Defendant makes the argument that, under the authority of Lindh v. Murphy, — U.S. —, 117 S.Ct. 2059, 138 L.Ed. 2d 481 (1997) and Demarest v. Price, 130 F.3d 922 (10th Cir. 1997), the AEDPA (and its one year limitation provision) does not apply to them because their cases were final prior to the effective date of the AEDPA. The Defendants point out that their convictions and sentences became final in 1993 and 1995, which is “well before the AEDPA’s April 24, 1996 effective date.”

The argument of the Defendants misinterprets the holdings of Lindh and Demarest. Under those authorities, the AEDPA applies only to *habeas proceedings* that were filed after its effective date. Here, the habeas proceeding of each defendant was commenced in 1997, which is after the effective date of the AEDPA. Therefore the one year limitation period applies and the motions are untimely.

Accordingly, the Motion to Toll time and for a Transfer Order to the Court of Appeals for the Tenth Circuit for Permission to File Second 28 U.S.C. 2255 Petition Under the AEDPA (Docket #243) of the Defendant, Leonard Harold Bunch is DENIED. In addition, the Consolidated Motions for Reconsideration of the Court’s Orders Entered January 13, 1998 (Docket #244), the Amended

Consolidated Motion for Reconsideration of the Court's Order Dated January 13, 1998 (Docket #245), and the Motion to Amend and Incorporate Cases (Docket #248) are each DENIED.

IT IS SO ORDERED THIS 17th DAY OF DECEMBER, 1998.


JAMES O. ELLISON, SENIOR JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 16 1998

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
KENNETH MICHAEL SPROUTS,)
)
Defendant.)

Case No. 92-CR-54-EV
98-CV-22-E

ENTERED ON DOCKET

DATE 12-21-98

ORDER

Now before the Court is the Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Docket # 229) of the Defendant Kenneth Michael Sprouts filed on December 29, 1997, and his corresponding Motion to Equitably Toll One Year Deadline for Filing Habeas Petition Under the Antiterrorism and Effective Death Penalty Act (AEDPA) (Docket # 228) filed on December 22, 1997.

Before the Court can address the merits of Sprouts' §2255 motion, the Court must examine the issue of whether it was timely filed under the 1-year period of limitation imposed by the AEDPA amendments to 28 U.S.C. §2255. Section 2255 provides:

A 1-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of--

- (1) the date on which the judgment of conviction becomes final;
- (2) the date on which the impediment to making a motion created by governmental action in violation of the Constitution or laws of the United States is removed, if the movant was prevented from making a motion by such governmental action;
- (3) the date on which the right asserted was initially recognized by the Supreme Court, if that right has been newly recognized by the Supreme Court and made

retroactively applicable to cases on collateral review; or

(4) the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.

In this case, the date on which the conviction became final is January 5, 1993, and none of the other provisions apply to the facts of this case. Therefore, under the rule of United States v. Simmonds, 111 F.3d 737, 746 (10th Cir. 1997), Sprouts, as a prisoner "whose conviction[] became final on or before April 24, 1996" must, in order to be timely, file his §2255 motion before April 25, 1997.


It is undisputed that Sprouts missed the deadline of April 25, 1997 as established by Simmonds. Sprouts argues, however, that the one year deadline should be "equitably tolled" because of extraordinary circumstances. The circumstances cited by Sprouts for this "equitable tolling" are ineffective assistance of counsel, failure of counsel to file an appeal as promised, lack of legal knowledge or assistance, and ignorance of the one-year time period. The courts are split as to whether the one-year time period of the AEDPA can be equitably tolled, and the Tenth Circuit has not yet decided the issue. See, e.g., Calderon v. U.S. District Court for Central District of California, 112 F.3d 386 (9th Cir. 1997) (one-year time limit can be equitably tolled), United States v. Eubanks, Crim. No. 92-392, 1997 WL 115647 (S.D.N.Y. 1997) (AEDPA limitation period is a statute of limitations which cannot be modified by the court).

Assuming, without deciding, that the limitation period is subject to equitable tolling, the Court finds that equitable tolling is not appropriate under the circumstances presented in this case. Under the law of this Circuit, equitable tolling is available in circumstances where the complainant has been misled by the other party or in "extraordinary circumstances." Gatewood v. Railroad Retirement Board, 88 F.3d 886, 889-90 (10th Cir. 1996). Specifically, the Court in Gatewood held that equitable tolling is not warranted by ignorance of the law. The court finds in these

circumstances that neither the failure of Sprouts' attorney to file an appeal nor Sprouts' ignorance of the one-year limitations period are sufficient "extraordinary circumstances" to warrant equitable tolling.

Sprouts' Motion to Equitably Toll the One-Year Limitations Period (Docket #228) is denied. Accordingly, Sprouts' Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Docket # 229) is dismissed for failure to file it within the one-year limitations period.

IT IS SO ORDERED THIS 16th DAY OF DECEMBER, 1998.


JAMES O. ELLISON, SENIOR JUDGE
UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 98-CR-087-003-K

FILED ON DOCKET

12-18-98

FOSTER JOHNSON O'QUINN
 Defendant.

FILED

DEC 18 1998

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987) **Phil Lombardi, Clerk**
U.S. DISTRICT COURT

The defendant, FOSTER JOHNSON O'QUINN, was represented by Jim Fransein.

On motion of the United States the court has dismissed Count 2 of the Indictment.

The defendant pleaded guilty to Count 1 of the Indictment, September 10, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy to Use Counterfeit Access Device	6/4/98	1

As pronounced on December 10, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 16 day of December, 1998.


 The Honorable Terry C. Kern, Chief
 United States District Judge

Defendant's SSN: 552-19-5784

Defendant's Date of Birth: 3/18/68

Defendant's residence and mailing address: 300 Prospect Road, Diamond Bar CA 91765

Defendant: FOSTER JOHNSON O'QUINN
Case Number: 98-CR-087-003-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 51 months, said term to run concurrently with the sentence imposed in Northern District Court of Oklahoma Case Number 98-CR-138-001-K.

The Court makes the following recommendations to the Bureau of Prisons: that the defendant serve his term of imprisonment within the County of Los Angeles, California, or as near Los Angeles County, California as possible.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: FOSTER JOHNSON O'QUINN
Case Number: 98-CR-087-003-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years, said term to run concurrently with the term of supervision imposed in Northern District Court of Oklahoma Case Number 98-CR-138-001-K.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: FOSTER JOHNSON O'QUINN
Case Number: 98-CR-087-003-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$27,419.73. Interest on restitution is waived by the Court.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Bank of America Department Number 4162 1825 East Buckeye Phoenix, Arizona 85034 Attn: Christine Smith Re: Case number 31180 (involving Hammad Akmal, Ebratollah Sakaeifar and Foster O'Quinn)	\$27,419.73

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee.

Restitution shall be paid in full immediately, jointly and severally by each of the codefendants in this case. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release, except that no further payment shall be required after the sum of the amounts actually paid by all defendants has fully covered the compensable injury. The amount of restitution shall be offset should any of the seized computers be forfeited to the victim of this case.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: FOSTER JOHNSON O'QUINN

Case Number: 98-CR-087-003-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report, except the Court finds that the two-level adjustment in offense level pursuant to USSG §3B1.1(C) is not applicable.

Guideline Range Determined by the Court:

Total Offense Level:	20
Criminal History Category:	V
Imprisonment Range:	60 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 7,500 to \$ 75,000
Restitution:	\$ 27,419.73

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reasons: Pursuant to USSG §4A1.3, the Court concludes that the defendant's criminal history category significantly over-represents the seriousness of the defendant's criminal history as the likelihood that he will commit further crimes. Therefore, the Court departs downward one criminal history category resulting in a criminal history category of IV. Specifically, the Court finds that the criminal history point resulting from the 24 months probation term in Fullerton, California, Municipal Court Case Number NM 9005724 is over represented.

United States District Court
Northern District of Oklahoma } SS
I hereby certify that the foregoing
is a true copy of the original on file
in this court.
Phil Lombardi, Clerk
By Asmith
Deputy

BJS

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

ENTERED ON DOCKET

DATE 12-4-98

v.

Case Number 98-CR-126-001-K

RANDY DWAYNE SIMS
 Defendant.

F I L E D

DEC 04 1998

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987) **Phil Lombardi, Clerk**
U.S. DISTRICT COURT

The defendant, RANDY DWAYNE SIMS, was represented by Cindy Hodges Cunningham.

On motion of the United States the court has dismissed Count 1 of the Indictment.

The defendant pleaded guilty to Count 2 of the Indictment, September 15, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

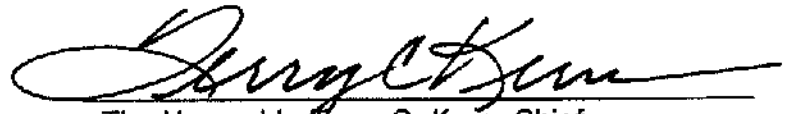
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 924(c)	Use of a Firearm During a Crime of Violence	8/3/98	2

As pronounced on December 2, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 2 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 3 day of December, 1998.



The Honorable Perry C. Kern, Chief
 United States District Judge

Defendant's SSN: 447-66-1055

Defendant's Date of Birth: 10-9-67

Defendant's residence and mailing address: PO Box 1196, Mannford, Oklahoma 74403

Defendant: LEO YARGEE WOLFE
Case Number: 98-CR-108-001-K

PROBATION

The defendant is hereby placed on probation for a term of three (3) years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of three (3) months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
4. The defendant shall perform 100 hours of community service, as directed by the probation officer.

STANDARD CONDITIONS OF PROBATION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you will refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: LEO YARGEE WOLFE
Case Number: 98-CR-108-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	8
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 1,000 to \$ 10,000
Restitution:	\$ n/a

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

United States District Court
Northern District of Oklahoma } SS.
I hereby certify that the foregoing
is a true copy of the original on file
in this court.
Phil Lombardi, Clerk
By Ameth
Deputy

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET
 12-18-98

UNITED STATES OF AMERICA

v.

Case Number 98-CR-086-001-K

JASON RYAN EATON
 Defendant.

FILED

DEC 18 1998

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Phil Lombardi, Clerk
 U.S. DISTRICT COURT

The defendant, JASON RYAN EATON, was represented by Rabon Martin.

On motion of the United States the court has dismissed Counts 1, 3 & 6 of the Indictment.

The defendant pleaded guilty to Counts 2, 4 & 5 of the Indictment, August 24, 1998. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

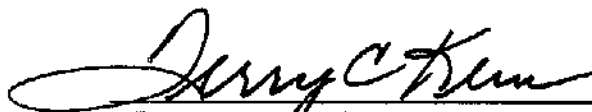
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 924(c)	Knowingly Using a Firearm During a Crime of Violence	3/11/98	2
18 USC 924(c)	Knowingly Using a Firearm During a Crime of Violence	4/19/98	4
18 USC 1951	Armed Robbery Affecting Interstate Commerce	4/19/98	5

As pronounced on December 7, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 300, for Counts 2, 4 & 5 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 16 day of December, 1998.



The Honorable Terry C. Kern, Chief
 United States District Judge

Defendant's SSN: 432-41-7015

Defendant's Date of Birth: 5/25/79

Defendant's residence and mailing address: c/o Tulsa County Jail, 500 S. Denver, Tulsa OK 74103

Defendant: JASON RYAN EATON
Case Number: 98-CR-086-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 468 months; 168 months as to Count 5, 60 months as to Count 2, and 240 months as to Count 4, all said terms to run consecutively, each with the other for a total sentence of 468 months.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JASON RYAN EATON
Case Number: 98-CR-086-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years as to each of Counts 2, 4 & 5, said terms to run concurrently, each with the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: JASON RYAN EATON
Case Number: 98-CR-086-001-K

RESTITUTION AND FORFEITURE**RESTITUTION**

The defendant shall make restitution in the total amount of \$56,313.46. Interest on restitution is waived by the Court.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Texaco Store #61 6051 S. Garnett Road Tulsa, Oklahoma	\$46
Chester Kamm Tulsa, Oklahoma	\$35
Citgo Petroleum Attn: Stuart Rains PO Box 3758 Tulsa, Oklahoma 74102-3758	\$56,209.46
Thomas J. Winters Tulsa, Oklahoma	\$23

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payees.

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: JASON RYAN EATON
Case Number: 98-CR-086-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	28	
Criminal History Category:	III	
Imprisonment Range:	60 months	Ct. 2
	240 months	Ct. 4
	97 months to 121 months	Ct. 5
Supervised Release Range:	2 to 3 years	Cts. 2, 4 & 5
Fine Range:	\$ 12,500 to \$ 125,000	Ct. 5
	\$ 250,000	Cts. 2 & 4
Restitution:	\$ 56,313.46	

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reason(s): based upon the Rule 11(e)(1)(C) Plea Agreement.

United States District Court }
Northern District of Oklahoma } SS
I hereby certify that the foregoing
is a true copy of the original on file
in this court.
Phil Lombardi, Clerk
By Amith
Deputy

BJS

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DEC 18 1998 *rm*

Phil Lombardi, Clerk
 U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 98-CR-083-001-BU

LOREN JAMIE WILLIAMS
 Defendant.

ENTERED ON DOCKET

DATE 12-18-98

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, LOREN JAMIE WILLIAMS, was represented by Cindy Hodges Cunningham.

On motion of the United States the court has dismissed Count 2 of the Indictment.

The defendant pleaded guilty to Counts 1 & 3 of the Indictment, August 28, 1998. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1014	False Statement to a Financial Institution	1/9/97	1
18 USC 511(a) & 2(b)	Altering or Removing a Motor Vehicle Identification Number and Causing a Criminal Act	4/24/97	3

As pronounced on December 16, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 200, for Counts 1 & 3 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 18th day of December, 1998.

Michael Burrage

 The Honorable Michael Burrage
 United States District Judge

Defendant's SSN: 440-76-0126

Defendant's Date of Birth: 7/8/69

Defendant's residence and mailing address: 53851 E. 120 Road, Miami OK 74354

Defendant: LOREN JAMIE WILLIAMS
Case Number: 98-CR-083-001-BU

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 12 months and one (1) day as to each of Counts 1 & 3, said terms shall run concurrently, each with the other.

The Court makes the following recommendations to the Bureau of Prisons: that the defendant serve these terms of imprisonment at the Turley Correctional Center in Tulsa, County, Oklahoma.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 noon on February 22, 1999.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JAMES ANDREW BOIARSKY
Case Number: 98-CR-094-001-C

FINE

The defendant shall pay a fine of \$ 1,000, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: LOREN JAMIE WILLIAMS
Case Number: 98-CR-083-001-BU

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 12,000, as to Count 3. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: LOREN JAMIE WILLIAMS
Case Number: 98-CR-083-001-BU

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	13	
Criminal History Category:	I	
Imprisonment Range:	12 months to 18 months	Cts. 1 & 3
Supervised Release Range:	3 to 5 years	Ct. 1
	2 to 3 years	Ct. 3
Fine Range:	\$ 3,000 to \$ 1,000,000	
Restitution:	\$ n/a	

Full restitution is not ordered for the following reason: cannot identify victim as to Count 3.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

FILED**UNITED STATES DISTRICT COURT**
Northern District of Oklahoma

DEC 15 1998

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 98-CR-094-001-C

JAMES ANDREW BOIARSKY
Defendant.

ENTERED ON DOCKET

DATE 12/15/98**JUDGMENT IN A CRIMINAL CASE**
(For Offenses Committed On or After November 1, 1987)

The defendant, JAMES ANDREW BOIARSKY, was represented by Cindy Hodges Cunningham.


The defendant pleaded guilty to Count 1 of the Information, September 10, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 656	Misapplication of Bank Funds by an Employee	1/30/98	1

As pronounced on December 9, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 25, for Count 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 14th day of December, 1998.
The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 232-04-4119

Defendant's Date of Birth: 07/07/74

Defendant's residence and mailing address: 500 W. Charleston Street, Broken Arrow OK 74012

Defendant: JAMES ANDREW BOIARSKY
Case Number: 98-CR-094-001-C

PROBATION

The defendant is hereby placed on probation for a term of three(3) years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
3. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
4. The defendant shall be placed at the Turley Correctional Center in Tulsa, Oklahoma for a period of 180 days, to commence as directed by the Probation Office.

STANDARD CONDITIONS OF PROBATION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you will refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: JAMES ANDREW BOIARSKY
Case Number: 98-CR-094-001-C

FINE

The defendant shall pay a fine of \$ 1,000, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: JAMES ANDREW BOIARSKY
Case Number: 98-CR-094-001-C

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$2,596.90.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
American National Bank & Trust Company PO Box 1408 Sapulpa OK 74067 Attn: Tangie Batty	\$2,596.90

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee.

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: JAMES ANDREW BOIARSKY
Case Number: 98-CR-094-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	7
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	1 to 5 years
Fine Range:	\$ 500 to \$ 5,000
Restitution:	\$ 2,596.90

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

BJS

aw

FILED
DEC 15 1998
Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 97-CR-171-010-C

PHYLLIS ANN BURKS
Defendant.

ENTERED ON DOCKET

DATE 12/15/98

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, PHYLLIS ANN BURKS, was represented by Randy Morley.

On motion of the United States the court has dismissed Counts 1 & 16 of the Second Superseding Indictment and 1 & 11 of the Third Superseding Indictment.

The defendant pleaded guilty to Count 1 of the Information, September 10, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:


Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 4	Misprision of a Felony	4/97	1

As pronounced on December 9, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 17th day of December, 1998.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 445-70-4061

Defendant's Date of Birth: 12/6/62

Defendant's mailing address: PO Box 532, Bristow OK 74010

Defendant's residence address: Rt. 1 Box 375, Depew OK 74010

Defendant: PHYLLIS ANN BURKS
Case Number: 97-CR-171-010-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 21 months.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on January 11, 1999.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: PHYLLIS ANN BURKS
Case Number: 97-CR-171-010-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of one (1) year.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: PHYLLIS ANN BURKS
Case Number: 97-CR-171-010-C

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 1,000, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: PHYLLIS ANN BURKS
Case Number: 97-CR-171-010-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	16
Criminal History Category:	I
Imprisonment Range:	21 months to 27 months
Supervised Release Range:	1 year
Fine Range:	\$ 5,000 to \$ 50,000
Restitution:	\$ n/a

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

DEC 15 1998

UNITED STATES OF AMERICA

Phil Lombardi, Clerk
U.S. DISTRICT COURT

v.

Case Number 98-CR-024-001-C

LYNN NATHAN WINTHROP SHERROW
 Defendant.

ENTERED ON DOCKET

DATE 12/15/98

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, LYNN NATHAN WINTHROP SHERROW, was represented by Cindy Hodges Cunningham.

The defendant pleaded guilty to Count 1 of the Information, September 14, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 842(j) 844(b)	Unlawful Storage of Explosives(Misdemeanor)	10/29/97	1

As pronounced on December 9, 1998, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 25, for Count 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 14th day of December, 1998.


 The Honorable H. Dale Cook
 United States District Judge

Defendant's SSN: 258-76-9182
 Defendant's Date of Birth: 10/7/47
 Defendant's mailing address: 1247 E. 9th Street
 Defendant's residence address: Okmulgee OK 74447

Defendant: LYNN NATHAN WINTHROP SHERROW
Case Number: 98-CR-024-001-C

PROBATION

The defendant is hereby placed on probation for a term of two (2) years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF PROBATION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you will refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: LYNN NATHAN WINTHROP SHERROW
Case Number: 98-CR-024-001-C

FINE

The defendant shall pay a fine of \$ 1,000, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: LYNN NATHAN WINTHROP SHERROW
Case Number: 98-CR-024-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	4
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	1 year
Fine Range:	\$ 250 to \$ 5,000
Restitution:	\$ n/a

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

BSS

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DEC 15 1998

Phil Lombardi, Clerk
 U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 98-CR-073-001-C

ENTERED ON DOCKET

FLOYD ALLEN BOTTS
 Defendant.

DATE 12/15/98

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, FLOYD ALLEN BOTTS, was represented by Cecil Drummond.

On motion of the United States the court has dismissed Counts 3 & 5 of the Superseding Indictment.

The defendant pleaded guilty to Counts 1, 2 & 4 of the Superseding Indictment, September 14, 1998. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)(1)	Possession of a Firearm After Former Conviction of a Felony	2/24/98	1
18 USC 922(g)(1)	Possession of a Firearm After Former Conviction of a Felony	3/11/98	2
18 USC 922(g)(8)	Possession of a Firearm in Violation of a Protective Order	3/11/98	4

As pronounced on December 9, 1998, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 300, for Counts 1, 2 & 4 of the Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 14th day of December, 1998.


 The Honorable H. Dale Cook
 United States District Judge

Defendant's SSN: 446-56-5091

Defendant's Date of Birth: 6/29/54

Defendant's residence and mailing address: 509 S. 108 East Avenue, Tulsa OK 74128

Defendant: FLOYD ALLEN BOTTS
Case Number: 98-CR-073-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 33 months as to each of Counts 1, 2 & 4, said terms to run concurrently, each with the other.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: FLOYD ALLEN BOTTS
Case Number: 98-CR-073-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years as to each of Counts 1, 2 & 4, said terms to run concurrently, each with the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: FLOYD ALLEN BOTTS
Case Number: 98-CR-073-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	13
Criminal History Category:	VI
Imprisonment Range:	33 months to 41 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 3,000 to \$ 30,000
Restitution:	\$ n/a

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

DEC 14 1998 *rm*

UNITED STATES OF AMERICA

v.

Case Number 98-CR-095-001-BU

Phil Lombardi, Clerk
U.S. DISTRICT COURT

DEANA KAY UNDERHILL
Defendant.

ENTERED ON DOCKET

DATE 12-15-98

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

The defendant, DEANA KAY UNDERHILL, was represented by Jack Schisler.

The defendant pleaded guilty to Count 1 of the Information, August 28, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 656	Misapplication of Bank Funds by Bank Employee	1/7/98	1

As pronounced on December 4, 1998, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 25, for Count 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 14th day of December, 1998.

Michael Burrage

The Honorable Michael Burrage
United States District Judge

Defendant's SSN: 445-54-4821

Defendant's Date of Birth: 1/12/52

Defendant's residence and mailing address: 3602 S. 119 East Avenue, Tulsa OK 74146

Defendant: DEANA KAY UNDERHILL
Case Number: 98-CR-095-001-BU

PROBATION

The defendant is hereby placed on probation for a term of 12 months.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
3. The defendant shall perform 40 hours of community service, as directed by the Probation Office.
4. The Court suspends the requirements for mandatory urine screening as dictated by 18 USC § 3608, but specifically retains the probation officer's authority to administer such tests for cause as permitted by the standard conditions of supervision.

STANDARD CONDITIONS OF PROBATION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you will refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: DEANA KAY UNDERHILL
Case Number: 98-CR-095-001-BU

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 500, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: DEANA KAY UNDERHILL
Case Number: 98-CR-095-001-BU

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	3
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	1 year
Fine Range:	\$ 100 to \$ 5,000
Restitution:	\$ 0

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

BU

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET
DATE 12-14-98

UNITED STATES OF AMERICA

v.

Case Number 98-CR-105-002-K

FILED

DEC 14 1998

CARL SHANNON SONNIER
Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Phil Lombardi, Clerk
U.S. DISTRICT COURT

The defendant, CARL SHANNON SONNIER, was represented by Charles Whitman.

On motion of the United States the court has dismissed Counts 1, 2 & 3 of the Indictment.

The defendant pleaded guilty to Count 4 of the Indictment, September 17, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 472 & 2	Uttering Counterfeit Obligations of the United States, Aiding and Abetting	5/6/98	4

As pronounced on December 9, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 4 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 11 day of December, 1998.


The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 442-90-1280

Defendant's Date of Birth: 2/19/71

Defendant's residence and mailing address: 8314 E. 10th Place, Tulsa OK 74133

Defendant: CARL SHANNON SONNIER

Case Number: 98-CR-105-002-K

PROBATION

The defendant is hereby placed on probation for a term of three (3) years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of three (3) months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF PROBATION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you will refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: CARL SHANNON SONNIER
Case Number: 98-CR-105-002-K

FINE

The defendant shall pay a fine of \$ 500, as to Count 4. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: CARL SHANNON SONNIER
Case Number: 98-CR-105-002-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$60.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
The Caravan Cattle Company PO Box 471-555 Tulsa OK 74147	\$60

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee.

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: CARL SHANNON SONNIER
Case Number: 98-CR-105-002-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	7
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 500 to \$ 5,000
Restitution:	\$ 60

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 98-CR-105-001-K ✓

ENTERED ON DOCKET

DATE 12-14-98

MICHAEL AARON HENDERSON
Defendant.

FILED

DEC 14 1998

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Phil Lombardi, Clerk
U.S. DISTRICT COURT

The defendant, MICHAEL AARON HENDERSON, was represented by Cindy Hodges Cunningham.

On motion of the United States the court has dismissed Counts 1, 2 & 4 of the Indictment.

The defendant pleaded guilty to Count 3 of the Indictment, September 11, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:


Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 472, 2(a) and 2(b)	Uttering Counterfeit Obligations of the United States	5/6/98	3

As pronounced on December 9, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 3 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 11 day of December, 1998.


The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 444-74-7022

Defendant's Date of Birth: 7/8/72

Defendant's residence and mailing address: 4209 E. 26th Place, Tulsa OK 74114

Defendant: MICHAEL AARON HENDERSON

Case Number: 98-CR-105-001-K

PROBATION

The defendant is hereby placed on probation for a term of three (3) years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of four (4) months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF PROBATION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you will refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: MICHAEL AARON HENDERSON
Case Number: 98-CR-105-001-K

FINE

The defendant shall pay a fine of \$ 500, as to Count 3. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: MICHAEL AARON HENDERSON
Case Number: 98-CR-105-001-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$60.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Caravan Cattle Company PO Box 471-555 Tulsa OK 74147	\$60

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee.

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: MICHAEL AARON HENDERSON
Case Number: 98-CR-105-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	7
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 500 to \$ 5,000
Restitution:	\$ 60

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 3 1998

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDDIE M. BEASLEY,

Defendant.

No. 82-CR-87-C

98 CU 813C

ENTERED ON DOCKET

DATE DEC 11 1998

JUDGMENT

This matter came before the Court for consideration of defendant Eddie Beasley's motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255. The motion having been duly considered and a decision having been rendered in accordance with the Order filed previously,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that judgment is entered for plaintiff, the United States of America, and against defendant, Beasley, on his challenge to the legality of his conviction and sentence.

IT IS SO ORDERED this 3rd day of December, 1998.



H. Dale Cook
U.S. District Judge

447/2

aw

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DEC 9 1998

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 98-CR-104-001-C

ENTERED ON DOCKET

JEFFREY EUGENE REYNOLDS
Defendant.DATE 12/10/98

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, JEFFREY EUGENE REYNOLDS, was represented by Jack Schisler.

On motion of the United States the court has dismissed Counts 2-4 of the Indictment.

The defendant pleaded guilty to Count 1 of the Indictment, September 10, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1344(1)	Bank Fraud	12/5/97	1

As pronounced on December 3, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 9th day of December, 1998.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 447-68-0939

Defendant's Date of Birth: 1/20/65

Defendant's residence and mailing address: 5606 S. 81st West Avenue, Tulsa OK 74107

Defendant: JEFFREY EUGENE REYNOLDS
Case Number: 98-CR-104-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 24 months.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JEFFREY EUGENE REYNOLDS
Case Number: 98-CR-104-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: JEFFREY EUGENE REYNOLDS
Case Number: 98-CR-104-001-C

RESTITUTION AND FORFEITURE**RESTITUTION**

The defendant shall make restitution in the total amount of \$30,617.65. Interest on restitution is waived by the Court.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
American National Bank PO Box 1408 Sapulpa OK 74067	\$10,264
F&M Bank & Trust Company PO Box 4500 Tulsa OK 74159	\$3,000
Regions Bank 2000 S. Zero Street Ft. Smith, AR 72901	\$2,822.28
American National Bank of Springdale PO Box 249 Springdale, AR 72765-0249	\$5,644.37
American Bank & Trust Company PO Box 3339 Tulsa OK 74101-3339	\$4,487
First National Bank PO Box 888 Claremore OK 74018	\$4,400

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payees.

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: JEFFREY EUGENE REYNOLDS
Case Number: 98-CR-104-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	10
Criminal History Category:	V
Imprisonment Range:	21 months to 27 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 2,000 to \$ 1,000,000
Restitution:	\$ 30,617.65

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

DEC - 9 1998

UNITED STATES OF AMERICA

Phil Lombardi, Clerk
U.S. DISTRICT COURT

v.

Case Number 98-CR-005-001-B

WILLIAM DAVID BROWN
Defendant.

ENTERED ON DOCKET

DATE 12-9-98

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, WILLIAM DAVID BROWN, was represented by Jack Schisler.

On motion of the United States the court has dismissed Counts 1, 2 & 5 of the Superseding Indictment.

The defendant pleaded guilty to Counts 3 & 4 of the Superseding Indictment, August 12, 1998. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

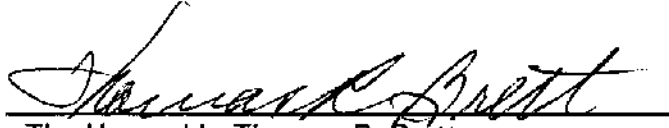
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 2119	Armed Carjacking	11/17/97	3
18 USC 924(c)	Possession of a Firearm During Commission of a Violent Crime	11/17/97	4

As pronounced on November 24, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 200, for Counts 3 & 4 of the Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 4th day of Dec, 1998.


 The Honorable Thomas R. Brett
 Senior United States District Judge

Defendant's SSN: 445-60-3746

Defendant's Date of Birth: 9/29/55

Defendant's residence and mailing address: Tulsa County Jail, 500 S. Denver, Tulsa OK 74103

Defendant: WILLIAM DAVID BROWN
Case Number: 98-CR-005-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 156 months; 96 months as to Count 3, and 60 months as to Count 4, said terms to run consecutively, each to the other, for a total sentence of 156 months.

The Court makes the following recommendations to the Bureau of Prisons: that the defendant be required to participate in the Inmate Financial Responsibility Program.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: WILLIAM DAVID BROWN
Case Number: 98-CR-005-001-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years as to Count 3, and three (3) years as to Count 4, said terms to run concurrently, each with the other, for a total sentence of five (5) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: WILLIAM DAVID BROWN
Case Number: 98-CR-005-001-B

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 10,000, as to Count 3. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: WILLIAM DAVID BROWN
Case Number: 98-CR-005-001-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	22	
Criminal History Category:	III	
Imprisonment Range:	51 months to 63 months	Ct. 3
	60 months	Ct. 4
Supervised Release Range:	3 to 5 years	Ct. 3
	2 to 3 years	Ct. 4
Fine Range:	\$ 10,000 to \$ 100,000	Cts. 3 & 4
Restitution:	\$ n/a	

The sentence departs from the guideline range for the following reasons: the defendant's Criminal History Category of III significantly under-represents the seriousness of Brown's criminal past or the likelihood that he will commit further crimes. The Court finds that, based on the fact that Brown's convictions span his entire adult life, the violent nature of his criminal record, and that he has three convictions for shooting or attempting to shoot a spouse or girlfriend, a Criminal History Category of V more accurately reflects his behavior.

United States District Court }
Northern District of Oklahoma } SS
I hereby certify that the foregoing
is a true copy of the original on file
in this court.

By Phil Lombardi, Clerk
Deputy

BJS

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 7 1998

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA
Plaintiff

VS

LINDA MARIE EVANS
Defendant

Case Number: 98-CR-069-001-H

ENTERED ON DOCKET

DATE 12-8-98

ORDER REVOKING TERM OF SUPERVISED RELEASE

Now on this 1st day of December, 1998, this cause comes on for sentencing after a finding that the defendant violated her conditions of supervised release as set out in the Petition on Supervised Release filed on May 14, 1998. The defendant is present in person and with her attorney, Jack Schisler. The Government is represented by Assistant United States Attorney James Swartz, and the United States Probation Office is represented by Andy Shidell.

On September 14, 1995, Evans was sentenced to an 18 month custody term followed by a three year term of supervised release, following her guilty pleas to Counts One and Two of a two-count Indictment charging her with Possession of a Firearm by a Fugitive, in violation of 18 U.S.C. § 922(g)(2), Count One; and Attempting to Board an Aircraft while Carrying a Loaded Firearm, in violation of 49 U.S.C. § 46505(b), Count Two. Evans was ordered to pay a total special assessment of \$75 and to pay a fine in the amount of \$3,000 as to Count One.


The term of supervised release commenced on May 22, 1997. On May 5, 1998, jurisdiction for Evans' case was transferred to the Northern District of Oklahoma from the Western District of Texas. On May 14, 1998, a Petition on Supervised Release was filed alleging that Evans violated standard conditions of supervised release related to the unlawful use of controlled drugs; and that she failed to participate in a program of testing and treatment for drug and alcohol abuse. On May 28, 1998, the Court found Evans had violated conditions of supervised release as alleged in the Petition on Supervised Release, concluding Evans had committed Grade C violations.

The Court finds that the instant conviction occurred after November 1987, and that Chapter 7 of the Sentencing Guidelines is applicable. Further, the Court finds that the violations constitute Grade C violations and the defendant's original Criminal History Category of II is applicable for determination of the Chapter 7 sentencing range. A Grade C violation and a Criminal History Category II establish an imprisonment sentence of from 4 to 10 months. In consideration of these findings and pursuant to U.S. v Lee, 957 F.2d 770 (10th Cir. 1992), in which the Circuit determined that the policy statements in Chapter 7 are not mandatory but must be considered by the Court, the following is ordered:

It is the judgment of the Court that the term of supervised release is hereby revoked, and the defendant is committed to the custody of the Bureau of Prisons to be imprisoned in a jail-type facility for a term of six (6) months. A fine in the amount of \$2,450 is reimposed. The fine shall be due immediately. Any amount not paid immediately shall be paid during the term of imprisonment, with any remaining amount due and payable during the term of supervised release.

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of twenty-nine (29) months. As soon as reasonable; however, in no event more than 72 hours after release from the custody of the Bureau of Prisons, the defendant shall report in person to the probation office in the district to which she is released. From this date until expiration of this sentence, to include while on supervised release, you shall not commit another federal, state, or local crime. While on supervised release, you shall not possess a firearm, destructive device or other dangerous weapon. Further, you shall not illegally possess a controlled substance. In addition, you shall comply with the standard conditions that have been adopted by this Court, and you shall comply with the Special Financial Conditions, the Special Search Condition, and you shall successfully participate in a program of testing and treatment, to include inpatient treatment as necessary, for drug and alcohol abuse as directed by the probation officer.

The defendant shall report to the facility designated by the Bureau of Prisons at or before 12:00 p.m. on January 4, 1999.



The Honorable Sven Erik Holmes
United States District Judge

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DEC 4 1998

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 98-CR-025-001-C

BOBBY GENE WALDRUP
 Defendant.

ENTERED ON DOCKET

DATE 12/7/98

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, BOBBY GENE WALDRUP, was represented by Stephen Knorr.

On motion of the United States the court has dismissed Counts 1 & 2 of the Indictment.

The defendant pleaded guilty to Count 3 of the Indictment, August 13, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
26 USC 5841, 8561(d), 5871	Possession of an Illegal Firearm	6/18/97	3

As pronounced on November 23, 1998, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 3 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 3rd day of December, 1998.



The Honorable H. Dale Cook
 United States District Judge

Defendant's SSN: 445-64-0041

Defendant's Date of Birth: 2/7/58

Defendant's residence and mailing address: c/o Tulsa County Jail, 500 S. Denver, Tulsa OK 74103

Defendant: BOBBY GENE WALDRUP
Case Number: 98-CR-025-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 30 months.

The Court makes the following recommendations to the Bureau of Prisons: that the Bureau of Prisons consider the facility at El Reno, Oklahoma for the place of incarceration.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: BOBBY GENE WALDRUP
Case Number: 98-CR-025-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
4. The defendant shall participate in a public, private, or private non-profit offender rehabilitation program that has been approved by the Court, in consultation with a State Coalition Against Domestic Violence, until such time as released from the program by the probation officer.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: BOBBY GENE WALDRUP
Case Number: 98-CR-025-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	17
Criminal History Category:	II
Imprisonment Range:	27 months to 33 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 5,000 to \$ 50,000
Restitution:	\$ n/a

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

BJJ

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DEC 4 1998

Phil Lombardi, Clerk
 U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 98-CR-080-001-C

ENTERED ON DOCKET

TOMMY JOE EMERY
 Defendant.

DATE 12/7/98

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, TOMMY JOE EMERY, was represented by Stephen J. Knorr.

The defendant pleaded guilty to Count 1 of the Indictment, August 13, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 641	Theft of Government Property	4/29/98	1

As pronounced on November 23, 1998, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 3rd day of December 1998.


 The Honorable H. Dale Cook
 United States District Judge

Defendant's SSN: 446-50-8681

Defendant's Date of Birth: 11-28-49

Defendant's residence and mailing address: 19501 E. Admiral Place #45, Catoosa OK 74015

Defendant: TOMMY JOE EMERY
Case Number: 98-CR-080-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 10 months.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: TOMMY JOE EMERY
Case Number: 98-CR-080-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: TOMMY JOE EMERY
Case Number: 98-CR-080-001-C

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 500, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: TOMMY JOE EMERY
Case Number: 98-CR-080-001-C

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$3,111.11. Interest on restitution is waived by the Court.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Federal Bureau of Investigation Attn: Brian Koons Oklahoma City FBI Division Box 54511 Oklahoma City OK 73154-0511	\$3,111.11

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee.

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: TOMMY JOE EMERY
Case Number: 98-CR-080-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	7
Criminal History Category:	III
Imprisonment Range:	4 months to 10 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 500 to \$ 5,000
Restitution:	\$ 3,111.11

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

BJJ

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED**DEC 4 1998**Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 98-CR-055-001-C

ENTERED ON DOCKET

GRACIE LEA ALFORD
Defendant.DATE 12/7/98

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, GRACIE LEA ALFORD, was represented by Jack Schisler.

On motion of the United States the court has dismissed Counts 1-19 of the Indictment.

The defendant pleaded guilty to Count 1 of the Information, August 13, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:


<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 656	Misapplication of Bank Funds by Bank Employee	12/4/97	1

As pronounced on November 23, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 3rd day of December, 1998.


 The Honorable H. Dale Cook
 United States District Judge

Defendant's SSN: 447-66-2325

Defendant's Date of Birth: 10/18/59

Defendant's residence and mailing address: 105 Catlin Circle, Greenville, South Carolina 29607

Defendant: GRACIE LEA ALFORD
Case Number: 98-CR-055-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 6 months.

The Court makes the following recommendations to the Bureau of Prisons: that the defendant be designated to a community confinement facility that would allow her to maintain her employment in or near Greenville, South Carolina.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on January 4, 1999.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: GRACIE LEA ALFORD
Case Number: 98-CR-055-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 6 months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the U.S. Probation Office.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
5. The Court suspends the requirements for mandatory urine screening as dictated by 18 USC § 3608, but specifically retains the probation officer's authority to administer such tests for cause as permitted by the standard conditions of supervision.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: GRACIE LEA ALFORD
Case Number: 98-CR-055-001-C

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$19,587. Interest on restitution is waived by the Court.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
The First National Bank of Nowata Attn: Jan Wyrick PO Box 432 Nowata OK 74048	\$19,587

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee.

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: GRACIE LEA ALFORD
Case Number: 98-CR-055-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	9
Criminal History Category:	III
Imprisonment Range:	8 months to 14 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 1,000 to \$ 1,000,000
Restitution:	\$ 19,587

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the Court finds no reason to depart from the sentence called for by application of the guidelines.

BJS

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DEC 4 1998

Phil Lombardi, Clerk
 U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 98-CR-090-001-C

ROBERT CHASE
 Defendant.

ENTERED ON DOCKET

DATE 12/4/98

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, ROBERT CHASE, was represented by Stephen J. Knorr.

On motion of the United States the court has dismissed Counts 2 & 4 of the Indictment.

The defendant pleaded guilty to Counts 1, 3, 5, 6 & 7 of the Indictment, August 13, 1998. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 841(a)(1) & (b)(1)(B)	Possession of a Controlled Dangerous Substance With Intent to Distribute and Distribution of a Controlled Dangerous Substance	5/11/98	1, 3, 5 & 7
18 USC 924(c) & 2	Carrying a Firearm in Facilitating the Commission of a Felony	2/19/97	6

As pronounced on November 23, 1998, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 500, for Counts 1, 3, 5, 6 & 7 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 3rd day of December, 1998.



The Honorable H. Dale Cook
 United States District Judge

Defendant's SSN: 384-78-8111

Defendant's Date of Birth: 3/15/58

Defendant's residence and mailing address: Tulsa County Jail, 500 S. Denver, Tulsa OK 74103

Defendant: ROBERT CHASE
Case Number: 98-CR-090-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 120 months; 60 months as to each of Counts 1, 3, 5 & 7, said terms to run concurrently, each with the other. In addition, a 60 month term is imposed as to Count 6, said term to run consecutively to the terms imposed in Counts 1, 3, 5 & 7, for a total sentence of 120 months.

The Court makes the following recommendations to the Bureau of Prisons: if the facility at Milan, Michigan is deemed appropriate by the Bureau of Prisons, the Court recommends that facility as the place of confinement. The Court also recommends the Bureau of Prisons designate the defendant to a facility equipped to provide Comprehensive Substance Abuse Treatment during his period of incarceration.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: ROBERT CHASE
Case Number: 98-CR-090-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of four (4) years as to each of Counts 1, 3, 5 & 7, and three (3) years as to Count 6, said terms to run concurrently, each with the other, for a total of four (4) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: ROBERT CHASE
Case Number: 98-CR-090-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	23	
Criminal History Category:	1	
Imprisonment Range:	60 months	Cts. 1, 3, 5 & 7
	60 months	Ct. 6
Supervised Release Range:	4 to 5 years	Cts. 1, 3, 5 & 7
	2 to 3 years	Ct. 6
Fine Range:	\$ 10,000 to \$ 2,000,000	Cts. 1, 3, 5, 6 & 7
Restitution:	\$ n/a	

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the Court finds no reason to depart from the sentence called for by application of the guidelines.

BJS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

F I L E D

DEC 4 1998

UNITED STATES OF AMERICA)

Phil Lombardi, Clerk
U.S. DISTRICT COURT

vs.)

Docket No. 95-CR-039-001-C

LANCE SHERWOOD)

ENTERED ON DOCKET

DATE 12/4/98

ORDER REVOKING SUPERVISED RELEASE

Now on this, 23rd day of November, 1998, this cause comes on for sentencing concerning allegations that the defendant violated conditions of supervised release as set out in the Petition on Supervised Release filed on February 12, 1998. The defendant is present in person and represented by counsel, Charles Whitman. The Government is represented by Assistant U.S. Attorney Neil Kirkpatrick, and the United States Probation Office is represented by Robert E. Boston.

The defendant was heretofore convicted on his plea of guilty to two counts of violating 18 U.S.C. 922(j) and 924(a)(2), Possession and Sale of Stolen Firearms. The defendant was sentenced to a 13 month custody sentence, as to each count, to be followed by a three (3) year term of supervised release, said sentences to run concurrently.

On October 29, 1998, a revocation hearing was held regarding the allegations noted in the Petition on Supervised Release, filed on February 12, 1998, said allegation being that the subject violated state law, Possession of a Controlled Drug (not less than 20 Grams of methamphetamine). The defendant stipulated to the allegations as alleged in the Petition. Sentencing was set for November 23, 1998.

The Court found that the offense of conviction occurred after November 1, 1987, and that Chapter 7 of the U.S. Sentencing Guidelines is applicable. Further, the Court found that the violation of supervised release constituted a Grade A violation in accordance with U.S.S.G. § 7B1.1(a)(1)(A)(ii) and (B), and that the defendant's original Criminal History Category of I was applicable for determining the imprisonment range. In addition, the Court found that a Grade A violation and a Criminal History Category of I establishes a revocation imprisonment range of twelve (12) to eighteen (18) months. In consideration of these findings and pursuant to U.S. vs. Lee, 957 F2d 770 (10th Cir. 1992), in which the Circuit determined that the policy statements in Chapter 7 were not mandatory, but must be considered by the Court, the following was ordered:

The defendant, Lance J. Sherwood, is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of fifteen (15) months.

The defendant is remanded to the custody of the U.S. Marshal for transportation to the designated U.S. Bureau of Prisons' institution.


The Honorable H. Dale Cook
United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 4 1998

UNITED STATES OF AMERICA

Phil Lombardi, Clerk
U.S. DISTRICT COURT

vs.

Docket No. 95-CR-022-001-C

TREVOR DEMAURN WOODS

ENTERED ON DOCKET

DATE 12/4/98

ORDER REVOKING SUPERVISED RELEASE

Now on this 23rd day of November, 1998, this cause comes on for Revocation Hearing concerning allegations that the defendant violated conditions of supervised release as set out in the Amended Petition on Supervised Release filed on October 29, 1998. The defendant is present in person and represented by counsel, Jack Schisler. The Government is represented by Assistant U.S. Attorney Allen Litchfield, and the United States Probation Office is represented by Robert E. Boston.

The defendant was heretofore convicted on his plea of guilty to violation of 21 U.S.C. 841(a)(1) and 841(b)(1)(A)(iii), Possession with Intent to Distribute Cocaine Base. The defendant was sentenced to a 45 month custody sentence, to be followed by a five (5) year term of supervised release.

On the 23rd day of September, 1998, the Probation Officer filed a Petition on Supervised Release alleging that the defendant violated the conditions of supervised release in that on the 14th day of April, 1998, he and another person robbed a Black Angus Restaurant in Van Nuys, California.

On the 29th day of October, 1998, the Probation Office filed an Amended Petition on Supervised Release alleging in addition to the robbery of the Black Angus Restaurant, that on the 28th day of April, 1998, he violated the laws of Los Angeles California, to wit: Hit and Run/Property Damage, and that on the 29th

day of September, 1998, he violated the laws of the city of Los Angeles, California, to wit: Driving Under the Influence of Alcohol.

On the 6th day of November, 1998, the defendant appeared for Preliminary Hearing before the Honorable Frank McCarthy, United States Magistrate Judge. At that hearing, the government requested that the Court strike the allegation pertaining to the robbery of the Black Angus Restaurant. The Court did strike that violation as requested. The defendant then stipulated that the government could prove that he committed the violations pertaining to Hit and Run/Property Damage and Driving Under the Influence.

Now on the 23rd day of November, 1998, the defendant appeared in person with his counsel Jack Schisler. The government was represented by Allen Litchfield and the Probation Office was represented by Robert E. Boston. The defendant admitted to the Court that if witnesses were called to testify they could prove to the Court that he violated the laws of Los Angeles, California to wit: Hit and Run/Property Damage and Driving Under the Influence. The defendant requested immediate sentencing.


The Court found that the defendant did violate the conditions of supervised release as stipulated by the defendant and found that the instant convictions occurred after November 1, 1987, and that Chapter 7 of the U.S. Sentencing Guidelines is applicable. Further, the Court found that the violations of supervised release constituted Grade C violations in accordance with U.S.S.G. § 7B1.1(a)(3), and that the defendant's original Criminal History Category of V is applicable for determining the imprisonment range. In addition, the Court found that Grade C violations and a Criminal History Category of V establish a revocation imprisonment range of seven (7) to thirteen (13) months. In consideration of these findings and pursuant to U.S. vs. Lee, 957 F2d 770 (10th Cir. 1992), in which the Circuit determined that the policy statements in Chapter 7 were not mandatory, but must be considered by the Court, the following was ordered:

The defendant, Trevor Demaurn Woods, is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of thirteen (13) months. Upon release from

the Bureau of Prisons the defendant shall serve 47 months supervised release. In addition to the standard conditions heretofore set by the Court, the defendant shall :

1. Participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer until such time as released from the program by the Probation Officer.
2. The defendant shall abide by the Special Search Condition enumerated in Miscellaneous Order Number M-128 filed with the Clerk of the Court on March 18, 1992.

The defendant is remanded to the custody of the U.S. Marshal for transportation to the designated U.S. Bureau of Prisons institution.


The Honorable H. Dale Cook
United States District Judge

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DEC 4 1998

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 98-CR-084-001-C

ENTERED ON DOCKET

ORLANDO REED
Defendant.DATE 12/4/98**JUDGMENT IN A CRIMINAL CASE**
(For Offenses Committed On or After November 1, 1987)

The defendant, ORLANDO REED, was represented by C. W. Hack.

On motion of the United States the court has dismissed Counts 2-4 of the Indictment.

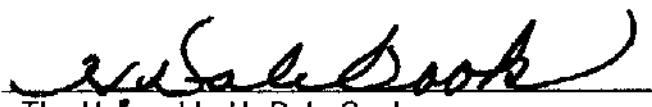
The defendant pleaded guilty to Count 1 of the Indictment, August 17, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1029(a)(1)	Conspiracy	6/1/98	1

As pronounced on November 19, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 3rd day of December, 1998.
The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 447-70-8851

Defendant's Date of Birth: 3/26/69

Defendant's residence and mailing address: 401 E. Carlos, Bristow OK 74010

Defendant: ORLANDO REED
Case Number: 98-CR-084-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 22 months.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: ORLANDO REED
Case Number: 98-CR-084-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: ORLANDO REED
Case Number: 98-CR-084-001-C

RESTITUTION AND FORFEITURE**RESTITUTION**

The defendant shall make restitution in the total amount of \$5,570.89.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Budget Rent-A-Car 6410 Frontage Road Oklahoma City, Oklahoma	\$2,069.54
Thrifty Car Rental 1506 N. Memorial Drive Tulsa, Oklahoma 74115	635.16
Dillard's Department Store #484 1600 Cantrell Road Little Rock, Arkansas 72203	\$288.14
Phillips Oil 461 N. Wilson Vinita, Oklahoma 74301	\$16.17
U.S. Cellular 6701 E. 41st Street Tulsa, Oklahoma 74145	\$1,115.46
Union Planters Bank of Memphis 7130 Goodlett Farms Parkway, Rm. A2E Cordova, Tennessee 38018	\$1,405.31

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payees.

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: ORLANDO REED
Case Number: 98-CR-084-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	8
Criminal History Category:	VI
Imprisonment Range:	18 months to 24 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 1,000 to \$ 10,000
Restitution:	\$ 5,570.89

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

aw

FILED
DEC 4 1998

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 97-CR-171-001-C

ENTERED ON DOCKET

JEFFREY DAN WILLIAMS
Defendant.

DATE 12/4/98

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, JEFFREY DAN WILLIAMS, was represented by Jack Marwood Short.

The defendant pleaded guilty to Counts 1-4 of the Third Superseding Indictment, May 21, 1998. Accordingly, the defendant is adjudged guilty of such Counts, involving the following offenses:


Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 846(a)(1) & (b)(1)(A)(viii)	Conspiracy to Manufacture and Distribute a Controlled Substance	11/97	1
21 USC 841(a)(1) & (b)(1)(B)(viii)	Possession With Intent to Distribute Methamphetamine	3/12/97	2
21 USC 841(a)(1) & (b)(1)(B)(viii)	Possession With Intent to Distribute Methamphetamine	7/22/97	3
18 USC 924(c)	Use of a Firearm During Commission of a Drug Trafficking Crime	7/22/97	4

As pronounced on November 19, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 400, for Counts 1-4 of the Third Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 3rd day of December, 1998.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 442-68-2626

Defendant's Date of Birth: 4/26/60

Defendant's residence and mailing address: c/o Tulsa County Jail, 500 S. Denver, Tulsa OK 74103

Defendant: JEFFREY DAN WILLIAMS
Case Number: 97-CR-171-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 420 months; 360 months as to each of Counts 1, 2, & 3, said terms to run concurrently, each with the other. A sentence of five (5) years is imposed as to Count 4, said term to run consecutively to the terms imposed in Counts 1, 2, & 3, for a total sentence of 420 months.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JEFFREY DAN WILLIAMS
Case Number: 97-CR-171-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years as to Count 1, Four (4) years as to each of Counts 2 & 3, and three (3) years as to Count 4, said terms to run concurrently, each with the other, for a total of five (5) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: JEFFREY DAN WILLIAMS
Case Number: 97-CR-171-001-C

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 4,000, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: JEFFREY DAN WILLIAMS
Case Number: 97-CR-171-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	41	
Criminal History Category:	V	
Imprisonment Range:	360 months to life	Ct. 1
	360 months to 480 months	Cts. 2 & 3
	60 months	Ct. 4
Supervised Release Range:	5 years	Ct. 1
	4 to 5 years	Cts. 2 & 3
	2 to 3 years	Ct. 4
Fine Range:	\$ 25,000 to \$ 8,000,000	Cts. 1-4
Restitution:	\$ n/a	

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reasons: The Court finds that the minimum guideline sentence is sufficient based upon the defendant's conduct.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

DEC 4 1998

UNITED STATES OF AMERICA

v.

Case Number 98-CR-053-001-C

Phil Lombardi, Clerk
U.S. DISTRICT COURTJOHN DECLAUS GREEN
Defendant.

ENTERED ON DOCKET ✓

DATE

12/4/98

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, JOHN DECLAUS GREEN, was represented by Joseph Harris.

On motion of the United States the court has dismissed Counts 1, 2 & 4 of the Indictment.

The defendant pleaded guilty to Count 3 of the Indictment, June 18, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 922(g)(1)	Possession of a Firearm After Former Conviction of a Felony	12/23/97	3

As pronounced on November 10, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 3 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 3rd day of December, 1998.


 The Honorable H. Dale Cook
 United States District Judge

Defendant's SSN: 554-29-8558

Defendant's Date of Birth: 7/15/65

Defendant's residence and mailing address: 2921 N. Elgin, Tulsa OK 74106

Defendant: JOHN DECLAUS GREEN
Case Number: 98-CR-053-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 78 months.

The Court makes the following recommendations to the Bureau of Prisons: that the defendant be placed at a facility that will provide Intensive Substance Abuse Treatment during his period of incarceration.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JOHN DECLAUS GREEN
Case Number: 98-CR-053-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: JOHN DECLAUS GREEN
Case Number: 98-CR-053-001-C

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 3,000, as to Count 3. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: JOHN DECLAUS GREEN
Case Number: 98-CR-053-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report. However, the Court acknowledges that the defendant objects to the two-level adjustment by reason of placing the public and police in danger by a high-speed police chase at the time of arrest. The defendant contends that a nexus must exist between the offense of conviction and the obstruction of justice that placed in jeopardy the lives and property of others. While the guidelines do not indicate such nexus is necessary, it is unnecessary for the Court to determine this issue. The Court would, and if necessary, does, depart upward two points, if a nexus is required, because, in such event, the aggravating factor is of a kind or to a degree not adequately taken into consideration by the Sentencing Commission pursuant to §5K2.0. Thus the two-level adjustment is appropriate.

Guideline Range Determined by the Court:

Total Offense Level:	21
Criminal History Category:	IV
Imprisonment Range:	57 months to 71 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 7,500 to \$ 75,000
Restitution:	\$ n/a

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reason(s): pursuant to USSG §5K2.0 because the high-speed chase preceeding the defendant's arrest, as disclosed in the presentence report, represents an aggravating factor of a kind or to a degree not adequately taken into consideration by the Sentencing Commission in formulating the guidelines that should result in a sentence different than that proscribed, the Court departs two levels because §3C1.2 provides for a two-level adjustment for this type of conduct.

BJS

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

ENTERED ON DOCKET

DATE 12-4-98

v.

Case Number 98-CR-126-001-K

RANDY DWAYNE SIMS
 Defendant.

F I L E D

DEC 04 1998

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987) Phil Lombardi, Clerk
 U.S. DISTRICT COURT

The defendant, RANDY DWAYNE SIMS, was represented by Cindy Hodges Cunningham.

On motion of the United States the court has dismissed Count 1 of the Indictment.

The defendant pleaded guilty to Count 2 of the Indictment, September 15, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

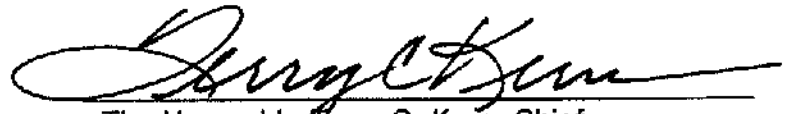
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 924(c)	Use of a Firearm During a Crime of Violence	8/3/98	2

As pronounced on December 2, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 2 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 3 day of December, 1998.



The Honorable Perry C. Kern, Chief
 United States District Judge

Defendant's SSN: 447-66-1055

Defendant's Date of Birth: 10-9-67

Defendant's residence and mailing address: PO Box 1196, Mannford, Oklahoma 74403

Defendant: RANDY DWAYNE SIMS

Case Number: 98-CR-126-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months.

The Court makes the following recommendations to the Bureau of Prisons: that the defendant be transferred to the Federal Transfer Center in Oklahoma City, Oklahoma pending designation, and that El Reno FCI be designated as the place of confinement, or if that is not possible, the closest facility to Tulsa, Oklahoma.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: RANDY DWAYNE SIMS

Case Number: 98-CR-126-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: RANDY DWAYNE SIMS
Case Number: 98-CR-126-001-K

FINE

The defendant shall pay a fine of \$ 500, as to Count 2. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: RANDY DWAYNE SIMS
Case Number: 98-CR-126-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	n/a
Criminal History Category:	I
Imprisonment Range:	60 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 0 to \$ 250,000
Restitution:	\$ n/a

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

BJJ

DATE

12/2/98

FILED

DEC 1 1998

Phil Lombardi, Clerk
U.S. DISTRICT COURTUNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 98-CR-070-006-H

DONNA LOUISE VANBIBBER
Defendant.**JUDGMENT IN A CRIMINAL CASE**
(For Offenses Committed On or After November 1, 1987)

The defendant, DONNA LOUISE VANBIBBER, was represented by Richard Amatucci.

On motion of the United States the court has dismissed Count 1 of the Indictment.

The defendant pleaded guilty to Count 5 of the Indictment, August 5, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
3 USC 371	Conspiracy to Obstruct Correspondence and Steal Mail Matter	4/30/98	5

As pronounced on November 19, 1998, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for Count 5 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 1st day of DECEMBER, 1998.


The Honorable Sven Erik Holmes
United States District Judge

Defendant's SSN: 446-26-0925
Defendant's Date of Birth: 2/5/63

Defendant's residence and mailing address: 4747 S. Darlington, Apt. #37, Tulsa OK 74135

Defendant: DONNA LOUISE VANBIBBER
Case Number: 98-CR-070-006-H

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 14 months.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: DONNA LOUISE VANBIBBER
 Case Number: 98-CR-070-006-H

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
 The defendant shall perform 40 hours of community service, as directed by the Probation Office.

STANDARD CONDITIONS OF SUPERVISION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
 You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: DONNA LOUISE VANBIBBER
Case Number: 98-CR-070-006-H

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$19,009.50. Interest on restitution is waived by the Court.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Bank of Oklahoma PO Box 2300 Tulsa, Oklahoma 74101 Attn: Linda Taylor, Audit Department	\$3,105
Nations Bank Attn: Leslie Edison 5950 E. Admiral Place Tulsa, Oklahoma 74115	\$3,635
Chase Bank Card Services PO Box 29073 Phoenix, Arizona 85038 Ref: Account 5260 3642 9554 7404	\$935
First USA Bank PO Box 8656 Wilmington, DE 19899-8659 Attn: Ron Webb (D1-1422) (Checks should be made payable to First USA 4417-1258-8127-9339)	\$6,817.50
Bank One Asset Recovery Unit PO Box 970347 Dallas, Texas 75397-0347	\$4,717

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payees.

Restitution shall be paid in full immediately, jointly and severally. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release, except that no further payment shall be required after the sum of the amounts actually paid by all defendants has fully covered the compensable injury.

If a victim has received compensation from insurance or any other source with respect to a loss, any restitution ordered shall be paid to the person who is a victim before any restitution is paid to any such provider of compensation.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: DONNA LOUISE VANBIBBER

Case Number: 98-CR-070-006-H

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	9
Criminal History Category:	VI
Imprisonment Range:	21 months to 27 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 1,000 to \$ 10,000
Restitution:	\$ 19,009.50

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reasons:
based on the heartland created by the sentencing of the four codefendants in this case, the guideline range of 21 to 27 months overstates the defendant's culpability in this case. •

BJS

cw

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

DEC 2 - 1998 *me*

UNITED STATES OF AMERICA

Phil Lombardi, Clerk
U.S. DISTRICT COURT

v.

Case Number 98-CR-092-001-BU

STEPHEN LEE KELLEY
Defendant.

ENTERED ON DOCKET

DATE 12-2-98

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, STEPHEN LEE KELLEY, was represented by Cindy Hodges Cunningham.

The defendant pleaded guilty to Count 1 of the Information, August 26, 1998. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 656	Misapplication of Bank Funds by Employee	1/31/98	1

As pronounced on November 19, 1998, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 25, for Count 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 1st day of December, 1998.

Michael Burrage

The Honorable Michael Burrage
United States District Judge

Defendant's SSN: 593-58-3376

Defendant's Date of Birth: 12/17/76

Defendant's residence and mailing address: 316 N.E. Myers Avenue, Bartlesville OK 74006

Defendant: STEPHEN LEE KELLEY
Case Number: 98-CR-092-001-BU

PROBATION

The defendant is hereby placed on probation for a term of one (1) year.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
3. The defendant shall perform 30 hours of community service, as directed by the Probation Office.
4. The Court suspends the requirements for mandatory urine screening as dictated by 18 USC § 3608, but specifically retains the probation officer's authority to administer such tests for cause as permitted by the standard conditions of supervision.

STANDARD CONDITIONS OF PROBATION

- 1) You will not leave the judicial district without the permission of the Court or probation officer.
- 2) You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
- 3) You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
- 4) You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
- 5) You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
- 6) You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You will notify the probation officer ten days prior to any change of residence or employment.
- 8) You will not frequent places where controlled substances are illegally sold, used, distributed, or administered; you will refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
- 9) You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
- 10) You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
- 11) You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
- 13) You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
- 14) You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
- 15) As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirement.
- 16) You will not possess a firearm, destructive device, or other dangerous weapon.

Defendant: STEPHEN LEE KELLEY
Case Number: 98-CR-092-001-BU

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 250, as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: STEPHEN LEE KELLEY
Case Number: 98-CR-092-001-BU

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	5
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	1 year
Fine Range:	\$ 250 to \$ 5,000
Restitution:	\$ n/a

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

IN THE UNITED STATES DISTRICT COURT FOR THE ENTERED ON DOCKET
NORTHERN DISTRICT OF OKLAHOMA

DATE 11-2-98

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

No. 98-CR-119-01-K

DAVID P. LUSE,)

Defendant.)

FILED

DEC 01 1998

Phil Lombardi, Clerk
U.S. DISTRICT COURT

ORDER

Now on this 30 day of November, 1998 this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, Counts One, Three, and Four of the Indictment against defendant David P. Luse in the above styled cause. The Court finds that said request ought to be granted and that Counts One, Three, and Four of the Indictment against defendant David P. Luse is dismissed, without prejudice.

IT IS SO ORDERED.


TERRY C. KERN
United States District Judge

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